

1 James I. Stang, Esq. (CA Bar No. 94435)
 2 Shirley S. Cho, Esq. (CA Bar No. 192616)
 3 PACHULSKI STANG ZIEHL & JONES LLP
 4 10100 Santa Monica Blvd., 13th Floor
 5 Los Angeles, California 90067-4100
 6 Telephone: 310/277-6910
 7 Facsimile: 310/201-0760
 8 Email: jstang@pszjlaw.com
 9 scho@pszjlaw.com

E-File: September 7, 2011

10 Zachariah Larson, Esq. (NV Bar No. 7787)
 11 LARSON & STEPHENS
 12 810 S. Casino Center Blvd., Ste. 104
 13 Las Vegas, NV 89101
 14 Telephone: 702/382.1170
 15 Facsimile: 702/382.1169
 16 Email: zlarson@lslawnv.com

17 Attorneys Reorganized Debtors

18 **UNITED STATES BANKRUPTCY COURT**

19 **DISTRICT OF NEVADA**

20 In re:

21 THE RHODES COMPANIES, LLC, aka
 22 "Rhodes Homes," et al.¹

23 Debtors.

24 Case No.: BK-S-09-14814-LBR
 25 (Jointly Administered)

26 Chapter 11

27 Hearing Date: September 27, 2011
 28 Hearing Time: 10:30 p.m.
 Courtroom 1

29 Bravo, Inc. 09-14825

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SECOND SCHEDULING STIPULATION RE REORGANIZED DEBTORS'

OBJECTION TO CLAIM NO. 7 FILED BY THE INTERNAL REVENUE SERVICE

AGAINST DEBTOR BRAVO, INC. [RE: DOCKET NO. 1377]

WHEREAS, on March 31, 2009 and April 1, 2009, The Rhodes Companies, LLC, aka “Rhodes Homes,” et al. (collectively, the “Reorganized Debtors”), filed voluntary petitions for relief under chapter 11 of title 11 of the Bankruptcy Code in the United States Bankruptcy Court, District of Nevada, and their cases are being jointly administered under Case No. BK-S-09-14814-LBR.

WHEREAS on September 25, 2009, the Internal Revenue Service (“IRS”) filed Proof of Claim No. 7-1 as a priority claim in the amount of \$1,285,683.50 in case number 09-14825 of Bravo, Inc.

WHEREAS on April 13, 2010, IRS filed an amended Proof of Claim No. 7-2 as a priority claim in the amount of \$1,326,068.11 and as an unsecured claim in the amount of \$2,560,388.64 for a total claim of \$3,886,456.75 (the "IRS Claim").

WHEREAS *The First Lien Steering Committee’s Third Amended Modified Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for the Rhodes Companies LLC, et al.* (the “Plan”) was confirmed on March 12, 2010. The Effective Date of the Plan was April 1, 2010.

WHEREAS on March 31, 2011, the Reorganized Debtors filed the *Objection to Claim No. 7 Filed by the Internal Revenue Service against Debtor Bravo, Inc., Etc.* [Docket No. 1377] (the “Claim Objection”).

WHEREAS on June 22, 2011, the Court entered the Order approving the Scheduling
Stipulation re the Objection [Docket No. 1445];

WHEREAS the Reorganized Debtors and the IRS are in good faith discussions to resolve the IRS Claim.

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED UPON by the
 2 undersigned parties, through their counsel and respective representatives that:

3 1. The Reorganized Debtors agree to extend the IRS's response deadline to the
 4 Claim Objection to September 16, 2011.

5 2. The Reorganized Debtors shall have through and including September 21, 2011 to
 6 file any reply to the Claim Objection.

7 3. The persons executing this Stipulation represent and warrant that they have the
 8 authority and capacity to act on behalf of the party for which each person is signing and to bind
 9 that party to the terms of this Stipulation.

10 4. This Stipulation may be executed by counterpart originals, electronic copies or
 11 facsimiles, and each such counterpart shall be deemed an original instrument, but all such
 12 counterparts together shall constitute one agreement.

13 15 DATED this 7th day of September

16 By: /s/ Virginia Cronan Lowe
 17 Name: Virginia Cronan Lowe, Esq.
 18 Trial Attorney, Tax Division
 19 U.S. Department of Justice
 20 950 Pennsylvania Ave.
 Washington, D.C. 20530-0001
 (202) 307-6484
Attorneys for the Internal Revenue Service

14 DATED this 7th day of September 2011

15 By: /s/ Shirley S. Cho
 16 Name: Shirley S. Cho, Esq.
 17 Pachulski Stang Ziehl & Jones LLP
 18 10100 Santa Monica Blvd., 11th Floor
 19 Los Angeles, California 90067-4100
 20 Tel: 310.277.6910
 Fax: 310.201.0760
Reorganized Debtors

LARSON & STEPHENS
 810 S. Casino Center Blvd., Suite 104
 Las Vegas, Nevada 89101
 Tel: (702) 382-1170 Fax: (702) 382-1169

CERTIFICATE OF SERVICE

1. On the 7th day of September 2011, I served the following document(s):

**SECOND SCHEDULING STIPULATION RE REORGANIZED DEBTORS'
OBJECTION TO CLAIM NO. 7 FILED BY THE INTERNAL REVENUE SERVICE
AGAINST DEBTOR BRAVO, INC. [RE: DOCKET NO. 1377]**

2. I served the above-named document(s) by the following means to the persons as listed below:

(check all that apply)

a. **United States mail, postage fully prepaid**
(List persons and addresses. Attach additional paper if necessary)

PLEASE SEE ATTACHED.

3. On **September 7, 2011** I served the above-named document(s) by the following means to the persons as listed below:

(check all that apply)

■ a. **ECF System** (*You must attach the “Notice of Electronic Filing”, or list all persons and addresses and attach additional paper if necessary*)

I declare under penalty of perjury that the foregoing is true and correct.

Signed on (date): September 7, 2011

Sophia L. Lee
(Name of Declarant)

/s/Sophia L. Lee
Signature of Declarant)

ECF SERVICE LIST

09-14814-lbr Notice will be electronically mailed to:

KEVIN N. ANDERSON on behalf of Creditor JAMES RHODES
kanderson@fabianlaw.com, sburdash@fabianlaw.com

BRETT A. AXELROD on behalf of Creditor SAGEBRUSH ENTERPRISES, INC.
baxelrod@foxrothschild.com,
pkois@foxrothschild.com; rdittrich@foxrothschild.com; msheffield@foxrothschild.com; ldupree@foxrothschild.com

J. THOMAS BECKETT on behalf of Creditor CREDITORS COMMITTEE
ECF@parsonsbehle.com

SHIRLEY S. CHO on behalf of Debtor THE RHODES COMPANIES, LLC
scho@pszjlaw.com

JANET L. CHUBB on behalf of Creditor COMMERCE ASSOCIATES, LLC
bsalinas@armstrongteasdale.com

DAVID A. COLVIN on behalf of Creditor DANA KEPNER COMPANIES, LLC
dcolvin@maclaw.com,
mwalters@maclaw.com; kgallegos@maclaw.com; tszostek@maclaw.com; bfrauenfeld@maclaw.com

NATALIE M. COX on behalf of Plaintiff EUGENE DAVIS
ncox@klnevada.com, bankruptcy@klnevada.com; bbroussard@klnevada.com

THOMAS E. CROWE on behalf of Creditor SHANE SMITH
tcrowelaw@yahoo.com

DAMON K. DIAS on behalf of Creditor X-It at 215, LLC
ddias@diaslawgroup.com, bankruptcy@diaslawgroup.com

TRACY A. DIFILLIPPO on behalf of Creditor COMMERCE ASSOCIATES, LLC
tdifillippo@jonesvargas.com, enunez@jonesvargas.com; ehardy@jonesvargas.com

CONOR P. FLYNN on behalf of Creditor COMMERCE ASSOCIATES, LLC
cflynn@jonesvargas.com

PHILIP S. GERSON on behalf of Creditor CLARK COUNTY
banknv@rocgd.com, mburgener@rocgd.com

REW R. GOODENOW on behalf of Creditor CREDITORS COMMITTEE
ecf@parsonsbehle.com

JAMES D. GREENE on behalf of Plaintiff EUGENE DAVIS
jgreen@greeneinfusolaw.com,
fritchie@greeneinfusolaw.com; kfarney@greeneinfusolaw.com; bschmidt@greeneinfusolaw.com; cwalton@greeneinfusolaw.com

1 KIRBY C. GRUCHOW on behalf of Creditor NEVADA POWER COMPANY
2 hkkelley@leachjohnson.com

3 DAVID R HAGUE on behalf of Creditor JAMES RHODES
4 dhague@fabianlaw.com, dromero@fabianlaw.com

5 CAROL L. HARRIS on behalf of Creditor In re Kitec Fitting Litigation Class Plaintiffs
6 c.harris@kempjones.com, jlm@kempjones.com

7 RODNEY M. JEAN on behalf of Creditor Credit Suisse, Cayman Islands Branch
8 RJEAN@LIONELSAWYER.COM,
9 gbagley@lionelsawyer.com; blklsclv@lionelsawyer.com; mstow@lionelsawyer.com

10 ROBERT R. KINAS on behalf of Creditor CATERPILLAR FINANCIAL SERVICES
11 CORPORATION
12 rkinas@swlaw.com,
13 jmath@swlaw.com; mfull@swlaw.com; cdossier@swlaw.com; nbaig@swlaw.com; nunzueta@swl
14 aw.com; docket_las@swlaw.com

15 KEITH S. KNOCHEL on behalf of Creditor VALERIE SILVAS
16 law@lawyersinarizona.com, bank@lawyersinarizona.com

17 BART K. LARSEN on behalf of Creditor Reef Colonial, LLC
18 blarsen@klnevada.com, jierien@klnevada.com; bankruptcy@klnevada.com

19 ZACHARIAH LARSON on behalf of Debtor APACHE FRAMING, LLC
20 cshurtliff@larsonlawnv.com, sstanton@larsonlawnv.com; akosina@larsonlawnv.com

21 NILE LEATHAM on behalf of Creditor STEERING COMMITTEE OF SENIOR SECURED
22 LENDERS
23 nleatham@klnevada.com, ckishi@klnevada.com; bankruptcy@klnevada.com

24 ANNE M. LORADITCH on behalf of Creditor JAMES RHODES
25 aloraditch@foxrothschild.com,
26 pkois@foxrothschild.com; rdittrich@foxrothschild.com; msheffield@foxrothschild.com

27 VIRGINIA CRONAN LOWE on behalf of Creditor UNITED STATES OF AMERICA -
28 INTERNAL REVENUE SERVICE
29 virginiacronan.lowe@usdoj.gov, Western.Taxcivil@usdoj.gov

30 ERIC D. MADDEN on behalf of Other Prof. THE LITIGATION TRUST OF THE RHODES
31 COMPANIES, LLC
32 emadden@diamondmccarthy.com, cburrow@diamondmccarthy.com

33 JANIECE S MARSHALL on behalf of Creditor STANLEY CONSULTANTS, INC.
34 , car@amclaw.com; lom@amclaw.com; crb@amclaw.com; csh@amclaw.com

35 EDWARD M. MCDONALD on behalf of U.S. Trustee U.S. TRUSTEE - LV - 11
36 edward.m.mcdonald@usdoj.gov

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169

1 SUSAN L. MYERS on behalf of Creditor Credit Suisse, Cayman Islands Branch
2 smyers@lacsn.org, emontes@lacsn.org; bklscly@lionelsawyer.com

3 JEFFREY D. OLSTER on behalf of Creditor HARSCH INVESTMENT PROPERTIES -
4 NEVADA, LLC
5 sallade@lbbslaw.com

6 OMNI MANAGEMENT GROUP, LLC (bo)
7 bosborne@omnimgt.com, sewing@omnimgt.com

8 ERIC RANSAVAGE on behalf of Creditor Leslie Blasco, et al.
9 eransavage@sslplaw.com, agutierrez@sslplaw.com

10 JACOB J ROBERTS on behalf of Other Prof. THE LITIGATION TRUST OF THE RHODES
11 COMPANIES, LLC
12 jroberts@diamondmccarthy.com, cburrow@diamondmccarthy.com

13 BRIAN D. SHAPIRO on behalf of Other Prof. THE LITIGATION TRUST OF THE RHODES
14 COMPANIES, LLC
15 bshapiro@brianshapirolaw.com,
16 ecf@brianshapirolaw.com; brianshapiroesq@yahoo.com; bshapiro@brianshapirolaw.com; candice@brianshapirolaw.com

17 SHLOMO S. SHERMAN on behalf of Interested Party REORGANIZED DEBTORS
18 ssherman@klnevada.com, bankruptcy@klnevada.com; bbroussard@klnevada.com

19 MARK R. SOMERSTEIN on behalf of Creditor WELLS FARGO BANK, N.A.
20 mark.somerstein@ropesgray.com

21 ELIZABETH E. STEPHENS on behalf of Attorney SULLIVAN HILL LEWIN REZ & ENGEL
22 stephens@sullivanhill.com,
23 calderone@sullivanhill.com; vidovich@sullivanhill.com; roberts@sullivanhill.com; hill@sullivanhill.com; Manning@sullivanhill.com; stein@sullivanhill.com

24 JEFFREY R. SYLVESTER on behalf of Creditor CREDIT SUISSE, CAYMAN ISLANDS
25 BRANCH
26 jeff@sylvesterpolednak.com

27 TIMOTHY P. THOMAS on behalf of Creditor STEERING COMMITTEE OF SENIOR
28 SECURED LENDERS
29 , veralynn@tthomaslaw.com

30 U.S. TRUSTEE - LV - 11
31 USTPRegion17.lv.ecf@usdoj.gov

32 DONALD H. WILLIAMS on behalf of Creditor Westar Kitchen & Bath, LLC
33 DonaldHWilliamsLaw@gmail.com, taylorsellers@gmail.com

34 MICHAEL YODER on behalf of Other Prof. THE LITIGATION TRUST OF THE RHODES
35 COMPANIES, LLC myoder@diamondmccarthy.com, cburrow@diamondmccarthy.com